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ABSTRACT

The curriculum evaluation reviews content and teaching methods of various materials in civic and legal education. Twenty-one objectives of the Law in a Free Society project are identified and the adequacy of the materials reviewed to attain these objectives is discussed. Objectives include recognition of the following: (1) complexities of legal and political issues, (2) value of democratic procedures, (3) the human dimension of political and legal affairs, (4) political realities, (5) the gap between the ideals and realities of the political system, (6) workable solutions to political and legal problems, and (7) value of diversity and pluralism. General criticism of the expository nature of 80% of the material reviewed is that it emphasizes passivity and does not stimulate student interest or analytic thought. The inquiry method, although more interesting to students, does not generally convey basic information and is often hampered by legal and social science jargon. Case studies and role playing are the two most promising inquiry methods for teaching civic and legal education, although they often lack diversity and sufficient detail. Project staff members and cooperating teachers conclude that more materials should be designed which would help students develop self-esteem and individual responsibility. (Author/DB)

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A Critical Review of Curriculum Materials

in Civic and Legal Education

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A Critical Review

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A Critical Review Of Curriculum Materials In Civic And Legal Education

In preparation for the curriculum development phase of the project, the staff of the Law in a Free Society project has, with the assistance of approximately 300 teachers in cooperating school districts, conducted a review of printed curriculum materials in civic and legal education. The evaluation was done in an attempt, among other things, to determine the adequacy of the materials reviewed for the development of a program to attain the objectives of the Law in a Free Society project.

The following summary of this evaluation focuses upon the statements of objectives contained in educational materials, the teaching methods, expository or inquiry, and to what degree the materials seemed useful for assisting in the attainment of the general objectives of the project.

Notes on the Objectives of Civic and Legal Education Materials Reviewed

There has been increased attention in the development of curriculum in the past few years to stating the objectives of educational programs more clearly than has been done previously. This may include a statement of the objectives of an entire curriculum or course in explicit but general terms, and the statement of objectives of particular components in more specific terms, in order to enable teachers to focus instruction upon the attainment of objectives. In evaluating curriculum materials in civic and legal education, we attempted to determine whether or not objectives were stated fully, clearly, and systematically. Attempts have been made, at least in theory, to state objectives clearly enough to allow for evaluation. We found that, in general, statements of objectives are inadequate; however, they are often presented in cliches or in a vague manner. There seems to be little evidence of serious thought about objectives. Although they are stated at the beginning of most materials, as mentioned above, they usually appear to be afterthoughts, and the materials do not appear to be designed to attain the objectives stated.

In fact, it is often difficult when reviewing the content of materials, to determine what objectives, if any, they are designed to attain. For example, it is common to have as an objective the development of students' abilities to think critically. Such an objective is often accompanied by materials which fail to provoke critical thinking. Few materials we reviewed attempted to relate objectives systematically to specific lesson plans. When objectives were

introduced systematically, with few exceptions, the explanations were directed solely to teachers; the practice of providing students with clear statements of the objectives of the courses was not common in the materials we reviewed.

Methods of Presentation

Expository Methods

Approximately 80% of the materials we reviewed are expository in nature. There is no doubt that expository writing is necessary to convey basic information. However, it seems highly desirable to strike a reasonable balance between expository and other methods which may be more useful for obtaining the objectives of this program or, for that matter, of most social studies programs.

One of the defects of expository writing is that it emphasizes passivity. Students may tend to lose interest when they are simply expected to absorb the information on the printed page, particularly if teachers' lectures reiterate the same material. To the extent that expository methods dominate the text, it may be proportionately more difficult to make subject matter palatable to the class. Although a number of the materials we reviewed showed obvious attempts to make expository writing more interesting, most of the basic social science and civics texts were extraordinarily tedious.

Due partially to the present emphasis on inquiry methods, a number of traditional texts have been embellished with questions designed to make them appear as if they are embodying inquiry techniques. However, often these questions merely require recall or reference skills rather than analytic thought. The addition of questions to massive amounts of material is not an adequate means of stimulating student interest or the development of analytic thought.

Inquiry Method

Although "inquiry" ranges over a wide variety of approaches, most inquiry methods are designed to stimulate students to think through problems systematically and in detail. An important general characteristic of the inquiry approach is that it helps overcome the passivity that destroys curiosity and the natural desire to learn. Inquiry methods are useful for providing students with a framework for analyzing or formulating solutions for practical problems. In contrast, expository methods are primarily useful for conveying information. Thus, a reasonable blend of the two must be presented for an effective program.

In the materials we reviewed, historical material was most commonly treated in an expository manner. Inquiry methods were more frequently used for contemporary issues. However, we did review several recent texts which made it apparent that inquiry techniques

can be effectively employed for studying history. Since an understanding of history is important for a appreciation of political and legal problems, it is important that more texts which include an inquiry approach to history be used.

Inquiry methods, including case studies, can be fruitfully used to present comparative problems. One excellent text we reviewed, for 12th graders, employed a blend of inquiry, expository, and case study techniques. However, this approach was not common, and this text in particular was difficult for any but the most academically advanced students.

We have found that because of the growing and continued popularity of inquiry materials, there is a wide selection of supplementary materials which stress inquiry skills, particularly at the intermediate level. But this is not enough. The need for a radical change in civic and legal education cannot be accomplished with small doses of inquiry materials along with overdoses of expository materials. Numerous articles reviewing supplementary materials suggested that these materials should be used only to supplement standard texts. On the contrary, it appears to us that an effective program might best be built around supplementary materials, using standard textbooks primarily for reference. It is our belief that students will acquire and retain information better if it is learned in the course of the study of specific problems rather than through the memorizing of information that is presented in an expository text. Therefore, basic learning in this field can probably best be accomplished with an appropriate use of inquiry methods and case studies.

One of the difficulties with much of the recent inquiry material we reviewed is that there tends to be an overuse of two types of jargon, i.e., technical concepts from the law and from the social science disciplines. Too often, legal jargon is introduced unnecessarily. When legal concepts are relevant, often they are not explained adequately. In some cases, many of the texts really become exercises in vocabulary development rather than in concept formation.

Jargon of the social science disciplines is often used because it is assumed that the social sciences provide the best conceptual framework for understanding social issues. For the purposes of civic and legal education at the elementary and secondary level this assumption is questionable. First, needless introduction of the technical vocabulary of the social sciences can hamper the development of students' understanding of legal and political institutions. This is partially due to the fact that interdisciplinary rivalry exists among the social sciences; conceptual frameworks overlap and sometimes conflict. Requiring students to memorize the terminology of the social science disciplines without careful selection introduces needless confusion. Some teachers are likely to become preoccupied with vocabulary, as mentioned above, rather than with conceptual development. Furthermore, to limit one's frame of reference in civic and legal education to the social sciences is to ignore those aspects of the

humanities -- art, philosophy and religion -- which are needed for the development of a complete and coherent program. As one examines the demands of today's students, it is apparent that they want a more humane and interdisciplinary curriculum that will help them develop an adequate and useful world view.

Inquiry Methods: Case Studies and Role-Playing

Case studies and role-playing appear to be among the most promising inquiry methods for teaching civic and legal education. Unfortunately, they are not commonly used in material we reviewed, with the exception of some of the newer project materials. Although some of the materials do make good use of case studies, there are several shortcomings that should be mentioned. First, there is not enough diversity in the types of cases chosen. Too many cases derive from Supreme Court opinions, and not enough are chosen from the lower courts. The use of case studies need not be restricted to court cases, for, as in several of the new series, case studies can be used to dramatize many different kinds of problems in different institutional settings. Second, cases are often not detailed enough to fully reflect the legal and moral issues involved. Often, inadequate information is contained in case studies to allow students to make sound judgments. In some instances, the effect is to foster "over-generalizing." In addition, often when case studies are used, questions following them are inadequate to promote worthwhile discussion.

Case studies can be used to deal with historical, contemporary, or comparative problems, issues, and incidents. Unfortunately, as mentioned above, few books use case studies dealing with historical issues. Most case studies focus on contemporary problems, but there is a danger that what was a burning issue a year ago is no longer of concern or relevance today. Consequently, one approach to dealing with contemporary problems would be to provide materials in loose-leaf form, to be distributed to classes while issues are current. This, however, requires considerable expenditure of time and effort. Perhaps a more practical approach would be to use cases which exemplify classical and perennial dilemmas, for which analogues are commonly found in contemporary life. This avoids the problem of obsolescence, while still helping students develop the analytic skills needed to deal with such problems.

Case studies are easily adaptable to role-playing, one of the best ways to bring the human dimension into the classroom. In the literature we have examined, there seem to be at least two basic approaches to the use of case studies for role-playing. One might be called a loosely structured approach. Such an approach often proceeds by the role-playing of brief incidents, either based upon actual classroom incidents or upon incidents presented in educational materials. The loosely structured approach allows a great deal of leeway to teachers and students to identify and create issues for

discussion. The danger of this approach is that role-playing may degenerate into a bull session, where irrelevant or inconsequential considerations may predominate, unless the teacher has the objectives of the discussion clearly in mind.

Some materials we've reviewed contained a more structured approach. The teacher's guide outlined in great detail the alternative paths for discussion that the teacher and students might follow. In addition, they provided suggested responses which teachers might attempt to elicit from the students. It might be objected that these role-playing exercises are so exhaustive of the alternative responses that they leave nothing for the teacher to do creatively. However, it can be replied to this objection that the guidelines for teachers are just that, only guidelines, not rigid rules. Teachers are free to exercise as much or as little creativity as they feel they need to. The advantage of the more structured approach is that it provides guidelines for those who need or want them, but does not force one to accept the framework which is proposed.

Whatever materials are used for civic and legal education, it is important that more case studies be used and interspersed throughout the curriculum. For the purposes of this project, it will probably be necessary to develop additional case studies in order to satisfy the need for a sequential and developmental K-12 program. The development of a set of case studies ranging from kindergarten through twelfth grade centered on the eight concepts chosen for curriculum development would make it possible to cover most of the major objectives and concepts of this program in a systematic way.

It must be emphasized that case studies themselves can be presented in a number of different ways. Films can be used to present cases; they may be presented on tapes in a dramatic form; cases can be written in the form of stories; or in the form of fact situations with issues to be resolved. The level of sophistication of case studies can be adapted to the appropriate grade level.

Adequacy of the materials reviewed for the development of a program to attain the objectives of the Law in a Free Society project

1. Students should be able to recognize the complexities of political and legal issues.

An effective strategy for dealing with the complexities of political life is to present materials on civic and legal education in a simplified form at the lower grades, gradually increasing the scope and complexity of treatment at the higher levels. Thus, students with adequate preparation at lower levels should be able to deal with political realities with a great deal of sophistication by the time they reach the upper levels of secondary education. However, in the materials we reviewed, the complexities of political and legal issues were omitted almost entirely at the low levels, and dealt with inadequately at the higher grades. The failure to prepare students for

dealing with complexities of political life at the lower grades and a sudden and inadequate introduction at higher grades leaves students unprepared to deal with them in an intelligent manner.

In order to cope with complexity, basic concepts must be brought into focus. Although many concepts which pertain to political life may be difficult to define, it is possible to help students gain a working knowledge of some of the more useful concepts from law, social sciences and the humanities. This may be done by presenting paradigm or central cases which involve the application of such concepts as justice, equality, and freedom. Students who acquire a basic understanding of the application of such concepts to central cases develop a frame of reference which will enable them, with increased experience, to deal with the problems of borderline cases.

The vocabulary used in materials can either facilitate or impede students' understanding and appreciation of political and legal issues. An overemphasis on technical terminology, common in many of the materials we reviewed, can lead students to believe that political life is less intelligible than it really is. There is no reason, however, why technical concepts cannot be introduced and used to facilitate understanding, as long as these expressions are used with discrimination and adequately defined, and, of course, as long as teachers understand the concepts themselves. Our impression is that many of the materials we have reviewed tend to be needlessly technical.

Students must learn to avoid cliches in thinking about political life and the tendency to think of all cases as having readily available and simple solutions. In this sense, they must gain the ability to distinguish between those cases in which solutions are relatively clear cut and obvious and those which are complex and require careful consideration before suggesting solutions. Increased sophistication and ability to deal with a wide range of cases of varying complexity should help students to avoid the opposite tendency to the simplistic approach, namely, the tendency to see all aspects of political life as unclear and hopelessly complex.

Many of the texts we reviewed at the elementary level are careless about facts and details. Students are taught to think in cliches and generalizations which they cannot substantiate. As these habits become ingrained, students find themselves unable to deal with genuine problems that are presented to them in later grades and in political life generally. In addition, an approach which fosters careless generalizations may lead students to think "Oh, we've already studied that" when, in fact, they are not even in command of basic information on the subject. Case studies are a particularly appropriate way to present students with the ramifications of political and legal issues for they can be presented with as much or as little detail as the problems under examination require, and the abilities of students permit.

The importance of rational thought as an analytical tool is rarely stressed sufficiently. Most of the materials we reviewed failed to bring out the importance of rational analysis of human behavior. Several sets of materials did deal adequately with this problem and emphasized the need for analogical thinking about political and legal problems. Thinking by analogy is an extremely effective way to understand the subtleties of human action and should receive more attention in the curriculum.

Many of the materials we reviewed appear to be embarked on a quest for simplicity. It is common for curriculum material to be designed around misleading generalizations. Often, the memorization of these generalizations is a major objective of the material. Students are not taught to understand the nature of hypotheses or theories, to make qualifications, to grasp the significance of counter-instances, or to think in terms of probabilities. Students are often taught to think in terms of generalizations, but mistakenly infer that if one counter-instance is found, the generalization collapses. Expository textbooks seem to frequently make the mistake of presenting unqualified generalizations. In addition, they often present many generalizations which conflict with one another, with the result that students are understandably perplexed.

Generalization in social science is a complex process with many traps for the unwary. It is important to have a considerable amount of experience in order to be able to develop useful generalizations. Most students don't have such experience, and many of the curriculum materials that we have reviewed are not adequate to lead students to validly hold more than very tentative hypotheses.

Students need to learn the pitfalls of incautious inferences from generalization. It is common for people to apply generalizations improperly. This often occurs when someone loses sight of the type of phenomena from which he originally derived a generalization and tries to apply it to quite dissimilar phenomena. An example of this would be social Darwinism when evolutionary generalizations, derived from the study of biological phenomena, are applied to the development of social institutions.

Another common error in generalization is the "history proves" fallacy. This involves mistaken inferences from one particular setting in history to a very different one. This results from the belief that an understanding of one particular set of events can apply quite safely to a different set of events, and is, in fact, one example of the failure to understand reasoning by analogy. For example, generalizations regarding political conventions based on events, such as the Democratic Convention in Chicago are not readily applicable to the Republican Convention of the same year. Generalizations regarding the integration of the Jews in the United States may not be particularly useful if one tries to apply them to understand the problems involved with the integration of blacks.

Since the development of students' use of scientific inquiry skills, including the process of generalization, is of primary importance, they must learn not to look upon generalizations as absolute answers. Such a practice is likely to stifle creative thought, lead to inaccuracies and simplistic thinking, and emphasize closure, while a major objective of this program is to help students gain and keep open minds, tolerate non-closure, understand complexities, and suspend generalization when there is insufficient evidence or experience to generalize.

An understanding of political complexities is necessary for practical action, theoretical understanding, and creative thought. For example, someone who does not appreciate the intricacies of our governmental bureaucracy will be frustrated when his efforts at political action do not have immediate consequences. A student who is properly educated about the nature of bureaucracy is more likely to both avoid frustration and also discover appropriate avenues for change.

2. Students should learn to recognize the values of democratic procedures.

Many of the materials we reviewed presented expository information on the values of democratic procedures. In many cases the books appear to be designed to indoctrinate students rather than to provide them with experiences which would enable them to discover the values of democratic procedures in opposition to other forms of political behavior. In this regard, too few of the materials call for students to actually practice democratic procedures and thus learn their value through actual experience. In addition, almost all texts present democratic procedures as always preferable for decision-making when, in fact, in some instances, other forms of decision-making may be more reasonable.

There is also an absence of adequate comparative material available dealing with decision-making in different political systems. Because of this, students are not able to see the advantages and disadvantages of various forms of decision-making. This defect also contributes to the lack of reality orientation in civic education. (For further discussion of this objective refer to item 5 below.)

3. Students should recognize the human dimension of political and legal affairs.

Few materials place appropriate emphasis on the human dimension of political and legal life. There is very little dramatic presentation of history or contemporary problems. As a result, the basic human emotions of political life are rarely mentioned, let alone discussed. Such an incomplete picture leads not only to factual inaccuracy, but also, and more importantly, to a dehumanized view of

civic life. Perhaps the cliche about a government of laws, not of men, has been taken too seriously. It is necessary to emphasize that government is a human institution which is subject to all the limitations of human beings -- fallability, greed, corruption, etc. When institutions are depersonalized, the persons who maintain the institutions are dehumanized. The deification as well as "devilification" of political leaders is a result in part of a failing to realize that political roles are performed by persons. Too much emphasis in civic education has been placed upon political organizations and political procedures and not enough emphasis has been placed upon human actions and human emotions.

Perhaps one of the main reasons why civic education curriculum seems so irrelevant and uninteresting is that it so rarely deals with the human dimension. While a dehumanized description of political life is of interest to very few, a presentation of political and legal issues which includes appropriate attention to the human dimension will be not only more interesting to students but nore meaningful and more useful for developing students' abilities to understand and enter into social and political interaction.

4. Students should learn to recognize political realities.

Few of the materials we reviewed attempted to deal with political realities with the exception of some at intermediate and secondary levels. Realities are sometimes presented in legal cases, but the realities of political life in broader areas of political behavior are often neglected. For example, campaigning, the activities of interest groups, logrolling, and lobbying are not adequately treated. At early elementary levels, realities are often avoided in favor of the presentation of a "sugar-coated" view of political life. We feel that it is important to present the truth to students at an early age. It is possible to present children with parallels of political realities within their own experience. For example, boundary disputes between nations can be presented in relation to disputes about playground areas. Conflicts about ownership of property can easily be illustrated through the use of experiences familiar to children.

5. Students should be able to recognize and learn to deal with the gap between the ideals and the realities of our political system.

We discovered that this topic is rarely dealt with explicitly. In the first place, many materials confuse statements of political ideals with descriptions of political reality. What are in fact ideals are presented as if they were descriptions of what actually occurs. As students become increasingly aware of the gap between what they have been taught about political life and what actually occurs, they may feel that they have been duped. One consequence is that students frequently become cynical about political life. This

cynicism may be manifested in a number of ways, but the most extreme are withdrawal and lack of interest or violent reaction.

There is an obvious need for the development of materials that present political realities accurately, help students understand the ideals of our political system, help them learn to recognize the gap between the ideals and the realities, and help them learn to cope creatively with this gap.

Dealing with the gap between ideals and reality raises controversial questions. Presently there appears to be a greater willingness on the part of textbook writers to present controversial issues for discussion, but it is not common for these issues to be presented in a way which reflects the diversity of points of view that can be taken about a particular issue.

Another problem in dealing with the ideal/reality gap involves the common fallacy of leading students to believe that democracy always works, that the ideals of democracy are always realized in practice, and that democratic forms of decision-making are always to be preferred as opposed to alternative forms. In this regard, it is important for students to learn that in some instances it is far more practical, realistic and desirable for decisions to be made by authorities who may or may not reflect the point of view of the majority.

Texts make another common and related error. It is common to present students with only the rational positions taken on particular issues. We feel it is particularly important to examine not only rational, but also irrational political behavior in order to develop a more complete understanding of human interaction in the political sphere. In addition, it is worthwhile to help students learn to deal effectively with the irrational since they are undoubtedly already encountering it, in fact many conflicts have their origin in the failure to understand how to deal with an irrational person.

6. Students should learn to think in terms of workable solutions to political and legal problems.

Very few of the materials we reviewed used a decision-making model, or methods which asked students to think of workable solutions to political and legal problems. If students are to develop such skills it is obvious that they must be given experiences in coping with the problems of proposing solutions and policies. Students must be helped to learn to identify which problems have solutions, which insoluble problems must be managed while awaiting changes which may make solutions possible, and which problems pose dilemmas which have no apparent solutions. Students must learn to avoid the pragmatic fallacy; that is, the idea that there is always a means to any end that we wish to achieve in the political realm. By avoiding this fallacy, we may also avoid the distress brought on by false hopes and mistaken expectations.

On the other hand, students must realize that many problems in the political arena which are now unsolved, can be solved. By focusing students' attention on problems over which they can have some control, they can then reason by analogy to the larger and more complex problems of our society, such as poverty, taxation, and the utilization of resources. At the same time students can be led to identify and learn from the lack of analogies between individual decision-making and collective decision-making.

7. Students' feelings that they can influence political decisions through participation in democratic processes should be increased.

8. Students should learn to use the most effective means of influencing political decisions.

Most materials appear to be designed to increase students' feelings that they can influence political decision-making through democratic processes. However, they often exaggerate the degree to which people can realistically expect to affect political decisions and emphasize relatively ineffective means of doing so, e.g., voting or writing one's congressman. This is consistent with the general tendency of avoiding political realities. For example, few materials dealt with such means of influencing political decision-making as bargaining, demonstrations, lobbying, boycotts, strikes, and the uses of public opinion.

The entire question of participation in political life is one that needs a more sophisticated treatment in the texts. For example, students are led to believe that the "good citizen" is one who participates fully in all local, state, national, and international political activities, that he is informed on all issues, and that he works to promote his point of view on every level possible. These unrealistic expectations overwhelm the students and probably deter them from the degree of participation that is necessary in a democratic society. For example, students are not led to consider whether or not participation is a reasonable form of activity on issues which are not relevant to their interests. The lack of participation in certain situations is not presented as a reasonable alternative. Materials also tend to neglect the difference between participation in political life and the actual wielding of influence or power. This may lead students to expect that their participation will always be efficacious. As one commentator has said, "In this connection the relatively high sense of political efficacy felt by young children may in itself be a contributing factor to later disillusionment when individuals discover the limits of their effect on the political system."

9. Students should develop the ability to discuss controversial issues openly and intelligently.

Although there is considerable lip service paid to the presentation of controversial issues, usually only constitutional issues are examined. The presentation of controversial issues involving other areas of political life related to the immediate experiences of students is rare. Also, even when controversial issues related to students' experiences are dealt with, preaching to students is common. In addition, neither moral dilemmas involving controversial issues nor questions involving responsible social behavior are explained adequately. For example, violence is one controversial topic which ought to be discussed in the schools. The ambivalence of people towards violence should be brought out. On the one hand, we fear violence. On the other hand, we are fascinated by it. Focusing on the emotional roots of violence and on rational arguments for and against it may well be an effective means of leading to its control.

One of the most common means of presenting controversial issues is through a two-party adversary system. Although this is of value, it is an error to use such models exclusively, for they suggest there are only two sides to any issue. In fact, many political issues involve a wide spectrum of reasonable points of view or positions. Here again, our desire for simplicity and clarity may obscure our comprehension of the world.

10. Students should increase their appreciation of the values of diversity and pluralism.

The fact of diversity and pluralism in our society is widely treated in the materials we have reviewed. However, the values of diversity and pluralism are not fully explored.

Pluralism is generally treated by focusing on the characteristics of the groups most active on the present political scene, such as blacks, Chicanos, and more recently, Indians. It is common for materials to focus on some of the contributions of such groups to the development of our society. However, these contributions are often treated in terms of the achievements of the more successful members of these groups, and some of the more interesting contributions of the cultures are rarely treated. The emphasis upon those ethnic or racial groups which have been most politically active recently has been accompanied by the neglect of other groups within the society, which should also be treated in order to develop an accurate understanding of pluralism. In addition, diversity within groups is often ignored. This typically leads to stereotyping.

11. Students should recognize the values of establishing and maintaining equality of opportunity in our society.

Equality of opportunity is a value presented in most of the materials we reviewed. However, the concept is usually presented as an ideal value to be accepted, and not treated with any degree of sophistication. The realities of inequalities of opportunity in our society are not adequately presented. For example, it is common to convey the idea that any person can become president or to perpetuate the Horatio Alger myth in the economic world. There is no serious inquiry into the true meaning of equality of opportunity and the consequences that approaching this ideal would have on the structure of our society.

12. Materials should be designed to help students develop self-esteem.

The concept of self-esteem is rarely treated either implicitly or explicitly. Further, in the teacher's material, little or no mention is made of this concept or of the desirability of conducting instructional programs which foster the development of self-esteem. Research indicating that the development of self-esteem is essential to the development of integrity, responsibility, and tolerance of diversity apparently has had little effect upon curriculum development. In addition, the methods advocated in the texts themselves, most particularly the expository methods, are not designed to foster the development of self-esteem and, in many cases, may actually impede its growth.

On the contrary, it appears that inquiry methods, which emphasize opportunities for students to experiment with ideas and emotions, to be more self-directed in their learning, and to participate in decision-making, may be more conducive to the development of student self-esteem.

13. Materials should be designed to help students develop individual responsibility.

Most of the materials we reviewed emphasize responsibility in terms of obeying the law, obeying and respecting authorities, or participating in political life by voting or writing one's congressman. The concept of responsibility is not treated adequately when materials fail to deal with the responsibilities of such people as teachers, administrators, and government officials. Many standard texts give the impression that only criminals fail to act responsibly. A more realistic approach to the problems of responsibilities should be presented, most probably through a series of case studies dealing with various levels of responsibilities.

Questions of particular contemporary relevance should be raised such as an examination of the failure to act when one should, as well as the question, "Does one have a responsibility to 'stay in the arena' in a free society or is he justified in withdrawing in favor of purely personal pursuits?"

14. Students should become aware of the role (rights, responsibilities, and privileges) of citizens in a democratic society.

Most of the materials we reviewed emphasize the role of the citizen, but usually it is formulated in terms of cliches. There is an overemphasis on passivity, compliance, respect for authority, and ineffective means of political participation. There is inadequate treatment of the role of the citizen as an active and critical participant in our political system.

For example, it might be helpful for some materials to include case studies showing how "hero" figures in history were often among the most critical and vociferous commentators of their times.

15. Students should understand the need for legitimate authority.

Although the materials present a considerable amount of information on the need for authority, there is very little discussion on what makes authority legitimate. The need for authority appears to be considered to be of such importance that questions of its legitimacy are seldom raised. The relationships between authority, legitimacy, and the political values of particular cultures are rarely examined. In short, this is an area for which curriculum materials should be designed.

16. Students should gain an understanding of the purposes of laws.

Although many materials deal explicitly with this objective, few take into account the multiplicity of purposes of laws, e.g., maintaining order, reinforcing basic moral beliefs, facilitating social interaction, setting standards for behavior of officials, and protecting interests. In this sense, the texts don't deal with questions of law that are commonly dealt with in the field of legal philosophy; that is to say, the nature and function of law. Also, texts rarely, if ever, introduce the fact that law is not always beneficial, that it can be used by individuals for their own selfish ends to deprive others of their rights, and that law may represent the interests of certain segments of society to the detriment of others. Law is also commonly set forth as a panacea of all social ills, to the neglect of other forms of social engineering. In fact, it is important to stress the limits of legal effectiveness. Therefore, what is called for is a treatment of those areas in which the law is effective, is only moderately effective, and is ineffective.

17. Students should learn criteria for evaluating laws.

Only one text we reviewed dealt at some length with criteria for evaluating law. Even this book dealt primarily with formal criteria for evaluating laws. There is an urgent need for looking at substantive criteria for evaluating laws such as the interests laws are designed to protect, what values underlie laws, and so forth. Here it would be very useful to examine a particular law in great detail, but few textbooks do this. Instead, when actual laws are introduced at all, a careful analysis of their nature and function is rarely called for or offered.

18. Students should learn democratic procedures for creating and changing laws.

All civic books explain the mythical process of how a bill becomes a law. Few books explain how a bill really becomes a law in a documentary form. Both institutional and non-institutional political behavior should be introduced for student analysis. This is related to the general lack of presentation of political realities in the materials we reviewed. In addition to presentation of uses of various procedures for creating and changing laws for student analysis, students should also learn democratic procedures for creating and changing laws by actual experience. Few materials call for these sorts of classroom experiences. This would call for active student participation in rule-making for the classroom and school environment.

Of the two processes, creating and changing laws, the former is treated most often. The problems of changing laws are not dealt with adequately. The resistance of changing obsolete or even unjust laws and the considerable amount of expenditure of energy and political power required to do so is not made explicit. Students are often left with the opinion that laws are more readily changeable by democratic means than, in fact, they are.

19. Students should learn procedures for managing conflicts over interpretation and application of laws.

Most of the materials we reviewed which dealt with this subject involved case studies, role-playing, mock trials, and other institutional means of managing conflict. There is an overemphasis on the courts as means of managing conflicts, to the neglect of other legal and political means, such as arbitration, mediation, debate, compromise, and bargaining. In addition, there has been a reluctance to objectively analyze and determine the consequences of the breakdown of procedures for managing conflicts over interpretations of laws. In addition, broader political questions over managing conflicts over the interpretation and application of laws are rarely analyzed, such as the causes and positive and negative effects of dissent, civil disobedience, and violence.

20. Students should be able to identify the values and interests laws are designed to protect.

Few of the materials we reviewed were designed to help students develop such skills. Few materials lead students to be able to make the distinction between rhetoric and reality. In this case, students are rarely asked to distinguish between the values law is designed to protect and the values it, in fact, protects. In addition, rarely are laws that are either implicitly or explicitly designed to protect special interests subject to examination, except in historical context. For example, little is shown about how landlord-tenant law or much of our contract law is biased in favor of landlords or merchants. The inequities of contemporary tax law were not subject to examination in any of the materials we reviewed.

21. Students should learn to deal with problems in the context of the school environment and recognize their similarities to political problems in a wider social context.

Materials at elementary and intermediate levels seem to be designed to assist in obtaining this objective. However, less attention is paid to this at the secondary level, where there may be an even greater desire and need on the part of students for participation in decision-making. There are few problems in the wider social context that do not have analogues in the school environment. Therefore, it would seem particularly useful to involve students from an early age in the discussion of political and legal issues within the school environment and in participation in decision-making regarding classroom and school rules. In fact, there is evidence to indicate that development of a "rule of law" in the school environment, with the participation of teachers, administrators, and students might be a more effective means for reaching the objectives of civic and legal education than the traditional methods used.